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9 || Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

13 UNITED STATES OF AMERICA,) No. 4-11-70769-MAG
14 Plaintiff,) STIPULATION AND [PROPOSED]
15 v.) ORDER TO CONTINUE STATUS
16 GERMAINE RAMSEY,) CONFERENCE AND EXCLUDE TIME
17 Defendant.) UNDER THE SPEEDY TRIAL ACT

IT IS HEREBY STIPULATED AND AGREED between the plaintiff through its attorney, Joshua Hill, and the defendant through her attorney, Elena Condes, that the preliminary hearing or arraignment presently set for November 17, 2011, be continued to December 20, 2011 at 9:30 a.m. Defense counsel requires additional time to review the produced discovery and conduct necessary investigation. The parties agree that the delay is not attributable to lack of diligent preparation on the part of the attorney for the government or defense counsel. For these reasons, the parties request that time under the Speedy Trial Act be excluded based on the defense's need for reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Defendant also agrees to waive the timing of a preliminary hearing or indictment under 18 U.S.C. § 3161(b) and Federal Rule of Criminal Procedure 5.1. The parties

STIPULATION AND [PROPOSED] ORDER
No. 4-11-70769-MAG

1 agree that the waiver covers all time between the date of this stipulation and November 17, 2011.

2 IT IS SO STIPULATED:

3 Dated: November 15, 2011

/S/
ELENA CONDES
Attorney for Defendant

6 Dated: November 15, 2011

/S/
JOSHUA HILL
Assistant United States Attorney

9 **ORDER**

10 GOOD CAUSE HAVING BEEN SHOWN, it is hereby ordered that the hearing in this
11 matter now scheduled for November 17, 2011 is hereby rescheduled for December 20, 2011 at
12 9:30 a.m. Based upon the representation of counsel and for good cause shown, the Court also
13 finds that failing to exclude the time between November 15, 2011 and December 20, 2011 would
14 unreasonably deny the defense the reasonable time necessary for effective preparation, taking
15 into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further
16 finds that the ends of justice served by excluding the time between November 15, 2011 and
17 December 20, 2011 from computation under the Speedy Trial Act outweigh the best interests of
18 the public and the defendant in a speedy trial. Therefore, it is hereby ordered that the time
19 between November 15, 2011 and December 20, 2011 shall be excluded from computation under
20 the Speedy Trial Act. 18 U.S.C. §§ 3161(h)(7)(A) and (B)(iv). In addition, upon consent of
21 defendant, the timing of a preliminary hearing or indictment is waived pursuant to 18 U.S.C. §
22 3161(b) and Federal Rule of Criminal Procedure 5.1. The waiver covers all time between
23 November 15, 2011 and December 20, 2011.

24
25 DATED: November 16, 2011


HONORABLE LAUREL BEELER
United States Magistrate Judge